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**Federal Communications Commission
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DA 04-769

March 23, 2004

COMMENTS INVITED ON APPLICATION OF PCI COMMUNICATIONS, INC. TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

WC Docket No. 04-74

Comp. Pol. File No. 679

Comments Due: April 6, 2004

Section 214 Application

Applicant: PCI Communications, Inc.

On March 4, 2004, PCI Communications, Inc. (PCI or Applicant), located at 135 Chalan Santo Papa, Hagatna, Guam 96910, filed an application with the Federal Communications Commission (FCC or Commission) requesting authority, under section 214(a) of the Communications Act of 1934, as amended, 47 U.S.C. § 214(a), and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue the provision of certain U.S. domestic telecommunications services in certain geographic areas.

PCI states that it is a wholly owned subsidiary of Startec Global Communications Corporation (Startec). According to PCI, Startec negotiated a joint venture with EC Communications, LLC in 2003, involving the sale of PCI's assets, including its entire customer base and its international section 214 authorizations. PCI states that its customers were notified of the impending sale and transfer of assets consistent with the Commission's rules. PCI further states that applications filed for authority to transfer PCI's international section 214 authorizations, and its minority interests in cable landing licenses were granted by the Commission in August of 2003. PCI indicates that these transactions did not, however, involve the assignment of PCI's domestic section 214 authorization because PCI anticipated the redevelopment of its domestic telecommunications business. PCI states that this redevelopment has failed to occur, and that it currently does not have any customers. Consequently, in the current application, PCI seeks authority to discontinue its provision of domestic interexchange service in Guam and the Northern Marianas Islands. PCI states that it is non-dominant with respect to the domestic interexchange services it offers. The application indicates that PCI plans to discontinue service immediately upon receipt of authorization from the Commission.

In accordance with section 63.71(c) of the Commission's rules, the application will be deemed to be automatically granted on the thirty-first (31st) day after the release date of this

notice, unless the Commission has notified PCI that the grant will not be automatically effective. Accordingly, pursuant to section 63.71(c), absent further Commission action, PCI may not terminate service to the customers affected by this application until April 23, 2004. The Commission will normally authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's *ex parte* rules, 47 C.F.R. §§ 1.1200-1.1216. Comments objecting to this application must be filed with the Commission on or before April 6, 2004. Such comments should refer to WC Docket No. 04-74 and Comp. Pol. File No. 679. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 Fed. Reg. 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <<http://www.fcc.gov/e-file/ecfs.html>>. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send e-mail to ecfs@fcc.gov, and should include the following words in the subject line "get form <your e-mail address>." A sample form and directions will be sent in reply.

Parties who choose to file by paper must send an original and four (4) copies of the comments to the Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. Two (2) copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 6-A207, Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-2345, Attention: Carmell Weathers.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

The application will be available for review and copying during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's copy contractor, Qualex International, Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone (202) 863-2893, facsimile (202) 863-2898, or via e-mail at qualexint@aol.com.

For further information, contact Carmell Weathers, (202) 418-2325 (voice), carmell.weathers@fcc.gov, or Rodney McDonald, (202) 418-7513 (voice), rodney.mcdonald@fcc.gov, of the Competition Policy Division, Wireline Competition Bureau. The TTY number is (202) 418-0484. For further information on procedures regarding Section 214 please visit [http://www.fcc.gov/wcb/cpd/other adjud](http://www.fcc.gov/wcb/cpd/other_adjud).

-FEDERAL COMMUNICATIONS COMMISSION-